

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

DECISION ONE MORTGAGE  
COMPANY, LLC,

Plaintiff,

vs.

ACCESS LENDING CORPORATION  
and DAVID FLEIG,

Defendants.

Case No.: 3:05CV264-K

**CONSENT ORDER**

**THIS MATTER IS BEFORE THE COURT** on the Defendants' Motion to Dismiss (Document No. 9) filed August 25, 2005, by Access Lending Corporation and David Fleig. It appears to the Court, based upon the signatures of counsel which follow, that the parties have agreed to address and resolve the pending Motion to Dismiss and other matters, as set forth hereafter, and consent to the entry of this Order.

NOW, THEREFORE, by and with the consent of the parties, the Court finds and orders as follows:

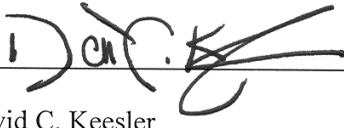
**ORDER**

1. Defendants' Motion to Dismiss (Document No. 9) is withdrawn and Defendants waive any objection to the assertion of personal jurisdiction by this Court;
2. Plaintiff withdraws its request for and waives its right to a jury trial;
3. The parties consent to a bench trial before the Honorable Magistrate Judge David C. Keesler; and
4. Defendants shall file pleadings responsive to the Complaint within forty-five (45) days of the date this Order is entered.

5. Within fifteen (15) days after the filing of responsive pleadings to the Complaint, the parties shall meet and confer pursuant to Rule 26(f) of the Federal Rules of Civil Procedure.

**IT IS SO ORDERED.**

Signed: November 27, 2006

  
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David C. Keesler  
United States Magistrate Judge



CONSENTED TO BY:

s/Christopher A. Hicks

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